




SO ORDERED.

SIGNED this 15 day of January, 2014.



John T. Larley, III
Chief United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

Leslie McDaniel,

Debtor,

Leslie McDaniel, individually and as
representative of her bankruptcy estate,

Plaintiff,

vs.

SunTrust Bank, SunTrust Mortgage, Inc.,
McCalla Raymer, LLC, Foxfire Acres, Inc.,
The United States by and through the
Internal Revenue Service, The State of
Georgia (represented by the Department of
Revenue), The Grogan Group, LLC d/b/a
Grogan & Grogan, and The Columbus
Consolidated Government,

Defendants.

*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*
*

Chapter 13

Case Number: 12-41231jtl

Adversary Proceeding
Case Number: 13-04013

ORDER ON MOTION OF
McCALLA RAYMER, LLC TO DISMISS CASE

The above captioned Motion came on for hearing before the Court as scheduled on
January 8, 2014. On January 15, 2014, in open Court, the Court announced findings of fact and

conclusions of law from the bench as authorized by Bankruptcy Rule 7052. Based upon those findings and conclusions, the Motion to Dismiss the Case pursuant to Federal Rule of Civil Procedure 7012(b)(6) is DENIED. To the extent the Motion asks for the Plaintiff to be required to restate her Complaint for a more definite statement, the Motion is GRANTED IN PART. The Defendants have all stipulated that the foreclosure sale in question was invalid. To the extent the Plaintiff's Complaint had alternate theories of recovery in the event the foreclosure sale were determined to have been valid, the Plaintiff is directed to file a Restated Complaint which makes no such assumptions since the parties have stipulated in open Court that they all agreed that the foreclosure sale was invalid.

SO ORDERED.